UNITED
NATIONS

CRC

Convention on the
Rights of the Child

Distr.
GENERAL

CRC/C/SR.45
14 October 1992

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD

Second session

SUMMARY RECORD OF THE 45TH MEETING

Held at the Palais des Nations, Geneva
on Thursday, 8 October 1992, at 3 p.m

Chairman: Mrs. BADRAN

CONTENTS

Future meetings of the Committee (continued)

Adoption of the draft report

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E. 4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after end of the session.

GE.92-17845 (E)

The meeting was called to order at 3.10 p.m.

FUTURE MEETINGS OF THE COMMITTEE (agenda item 13) (continued)

1. The CHAIRMAN recalled that the Committee had earlier discussed the meeting of the pre-sessional Working Group, to be held from 14 to 18 December 1992, and had requested the secretariat to provide members with the reports and files for each reporting state at least 10 days in advance. The reports and files would be sent to every member, but one or two members would be assigned responsibility for making an in-depth study of individual reports. The secretariat would notify relevant United Nations bodies and non-governmental organizations in advance. By December it would be known what decision had been taken about the length of the Committee's sessions and some information would be available on developments in other treaty monitoring bodies. The Committee still had to decide on the membership of the group on children in armed conflicts and of the group on documentation, information and computerization.

2. Mr. KOLOSOV suggested that notifications should also be sent to regional bodies, such as the CSCE's Centre for Democratic Processes and Human Rights in Warsaw, when reports submitted by their member States were to be considered. In December it would be difficult for the groups to do serious work because, during the same period, members would be involved in examining country reports and in preparing questions. Night meetings might be required, perhaps without interpreters if no funds were available for them. It might therefore be advisable for the groups to operate by correspondence. Their membership would depend on how and when they worked.

3. Mrs. SANTOS PAIS pointed out that the seminar on indicators would take place in December, at the same time as the meeting of the pre-sessional Working Group. Three Committee members could take turns to attend the seminar. As far as the workload was concerned, members of the pre-sessional Working Group would doubtless be willing to work into the night if necessary. Moreover, by December the group on children in armed conflicts would be able to elaborate upon the information supplied to the Committee during the general discussion on the subject. By that time, the group on documentation, information and computerization would also know what the steps had been taken by the meeting of chairpersons of treaty monitoring bodies and by the General Assembly and would have benefited from informal contacts with some of the United Nations bodies. In addition, it might be possible to arrange a meeting with UNHCR. For the consideration of country reports, the type of assistance the secretariat provided to other treaty bodies would presumably be available to the Committee to help it decide what kinds of issues would be raised.

4. In reply to a question by Mr. HAMMARBERG, Mrs. KLEIN-BIDOM (Representative of the Secretary-General) said it was hoped that funds would be available for the meeting of the pre-sessional Working Group in December. If some members had to arrive earlier, the secretariat would have to see whether additional funds could be found. Everything, however, had to be viewed in the light of the precarious financial situation.

5. The CHAIRMAN pointed out that the Committee still had to decide on the composition of the two subsidiary groups and on which members would be responsible for making in-depth studies of particular States parties' reports.

The meeting was suspended at 3.40 p.m. and resumed at 4.10 p.m.

6. The CHAIRMAN announced that it had been decided which members would be responsible for examining which reports by States parties and that the group on children in armed conflicts would consist of Mr. Kolosov, Miss Mason, Mgr. Bambaren Gastelumendi and Mrs. Belembaogo, while the group on documentation, information and computerization would consist of Mrs. Santos Pais, Mrs. Eufemio, Mr. Gomes Da Costa, Mr. Hammarberg and Mr. Mombeshora.

7. Miss MASON, supported by Mr. HAMMARBERG, said that, in view of the large amount of documentation involved, it would be helpful if members could be provided with a suitable filing system.

8. In reply to a question by Mrs. EUFEMIO, Mrs. RAADI (Secretary of the Committee) said that the secretariat had provided a list of documents needed for the Committee's session and could, of course, supply a list of documents sent to members between sessions.

9. The CHAIRMAN said brief consultations appeared to indicate that the Committees preference would be to hold full sessions from 11 to 29 January and 20 September to 8 October 1993, and the pre-sessional Working Group from 28 June to 2 July and 15 November to 19 November 1993.

10. Mr. KOLOSOV wondered whether there might be some indication as to the required participation in the pre-sessional Working Group, bearing in mind that five members would be standing for re-election in 1993.

11. After a brief discussion in which Mrs. EUFEMIO, Mr. KOLOSOV and Mr. HAMMARBERG took part, the CHAIRMAN proposed that some or all of the members with a four-year term of office should expect to attend the Working Group in June and some or all of the newly elected members should attend the Working Group in November. A final decision could be taken in January 1993, when the Committee discussed future work.

12. It was so decided.

13. Mrs. EUFEMIO pointed out that the Committee's discussion on guidelines did not appear to have gone beyond the definition of a child. Moreover, the question of the tasks assigned to members for inter-sessional periods still had to be settled.

14. Mr. HAMMARBERG said that, as far as the guidelines were concerned, it would have been useful to devote some time to discussing general principles.

15. Mrs. BELEMBAOGO recalled that the purpose of assigning tasks to individual members had been to establish a group spirit and enable all members to contribute from the outset to the work of the Committee. However, as three members still had no specific topic in connection with the guideline, the meeting could perhaps be suspended briefly to settle the matter.

16. The CHAIRMAN suggested that the question should be postponed until the Committee's next session, when some changes in the allocation of tasks might prove necessary.

17. It was so decided.

ADOPTION OF THE DRAFT REPORT

18. Mrs. SANTOS PAIS (Rapporteur), introducing the draft report, said it was divided into three chapters: I. Conclusions and Recommendations adopted by the Committee on the Rights of the Child; II. Organizational and Other Matters; and III. Overview of the Activities of the Committee. The aim of chapter I, which had purposely been made a self-contained element of the report, was not only to secure greater awareness regarding the Committee's principal concerns, but also to prompt reaction from other competent United Nations bodies. A subchapter listing the various recommendations made at the present session was now being prepared. It would be particularly useful during the deliberations at the forthcoming meeting of chairpersons of treaty bodies. Chjapter III provided a detailed account of the Committee's activities and reflected the consensus that had emerged during discussions on key aspects of the Committee's work, including the reporting obligations of States parties, the importance of social indicators, and the independence of experts. Lastly, she drew attention to the texts entitled Urgent action procedure and Future studies, which should be inserted in the body of the text of chapter III as sections I and J respectively.

19. Mr. HAMMARBERG commended the Rapporteur and Secretariat on an excellent report.

20. Mr. KOLOSOV asked whether the report under consideration would form part of the Committee's biennial report, which was to be submitted to the General Assembly. If so, how exactly would it be incorporated in the biennial report?

21. Mrs. SANTOS PAIS (Rapporteur) said that the present report as well as the reports adopted at the sessions scheduled for 1993, and possibly even January 1994, would form the biennial report to be submitted to the 1994 session of the General Assembly. The Committee certainly ought to reflect on the best format for such a consolidated report.

22. Mr. KOLOSOV said he therefore wondered about the true purpose of the report under consideration.

23. Mrs. BELBEMBAOGO recalled that it had been agreed at the first session that the Committee should adopt a report at the end of each session that was quite distinct from the biennial report to the General Assemby required under the provisions of the Convention.

24. Mrs. RAADI (Secretary of the Committee) said that the present report would be circulated as an official Committee document and might also be submitted to the General Assembly as a reference or background document.

Chapter II. Organizational and other matters

Paragraphs 1 to 3

25. Paragraphs 1 to 3 were adopted.

26. Mr. KOLOSOV proposed that, for the sake of clarity, paragraph 14, concerning the agenda, should be inserted immediately after paragraph 3, on the opening and duration of the session.

27. It was so decided.

Paragraphs 4 to 5

28. Paragraphs 4 to 5 were adopted.

Paragraph 6

29. Paragraph 6 was adopted with a minor editing change.

Paragraphs 7 to 9

30. Paragraphs 7 to 9 were adopted.

Paragraphs 10 to 12

31. Mrs. SANTOS PAIS (Rapporteur) remarked that the information given in paragraphs 10 to 12, concerning the participation of specialized agencies and other organizations, was incomplete. She therefore proposed that consideration of those paragraphs should be deferred.

32. It was so decided.

Paragraph 13

33. Paragraph 13 was adopted.

34. Mrs. SANTOS PAIS (Rapporteur) said that the text of the last section of chapter II, on future meetings, would be inserted at a later stage.

Chapter III. Overview of the activities of the Committee

35. Mrs. SANTOS PAIS (Rapporteur) said that paragraphs 15 to 19 were to be deleted, for they were repeated in paragraphs 45 to 49.

Paragraphs 20 to 22

36. Paragraphs 20 to 22 were adopted.

Paragraphs 23 to 24

37. Miss MASON proposed that paragraphs 23 and 24 should be merged, and that the first part of paragraph 24 should be reworded as follows: "In consequence of the foregoing, the Committee decided to maintain the consideration of this item once a year ...".

38. Mrs. BELEMBAOGO suggested that that proposal be submitted in writing for the Committee to take a decision at the next meeting.

39. It was so decided.

Paragraphs 25 to 31

40. Paragraphs 25 to 31 were adopted.

Paragraph 32

41. Mr. HAMMARBERG proposed that paragraph 32 should be amended to read: "The Committee emphasized the importance it attached to the timely submission of reports in accordance with article 44".

42. Paragraph 32, as amended, was adopted.

Paragraphs 33 to 34

43. Paragraphs 33 to 34 were adopted.

Paragraph 35

44. Mr. HAMMARBERG suggested that, to obviate any possibility or arbitrary treatment of different States parties, there should be an automatic system of reminders about the submission of reports. He therefore proposed the insertion in paragraph 35 of a sentence along the following lines: "In future, States parties which have not submitted their reports on time will be contacted and reminded about their reporting obligations not later than one month after the expirty date".

45. Mrs. SANTOS PAIS (Rapporteur) said that the present wording allowed for more flexibility. In any case, the Committee had not agreed on such a provision.

46. Mr. HAMMARBERG said he withdrew his proposal but would resubmit it at a future date.

47. Paragraph 35 was adopted.

Paragraphs 36 to 38

48. Paragraphs 36 to 38 were adopted.

Paragraph 39

49. Following a suggestion made by Mr. KOLOSOV, Mrs. SANTOS PAIS (Rapporteur) proposed that paragraph 39 should be amended to read: "The Committee had a working session at the headquarters of the International Labour Organisation, in order to get familiarized with the computerized system used by that agency. The Committee welcomed the meeting, which made for a positive exchange of views on the possibilities afforded by such a system ...".

50. Paragraph 39, as amended, was adopted.

51. Mr. KOLOSOV said the view had been expressed that it was important for the Committee to cooperate in the future with regional organizations and CSCE. The section of the report under discussion might be the right place to reflect that view.

52. Mrs. SANTOS PAIS (Rapporteur) pointed out that paragraph 27 already contained a reference to activities at the regional level.

53. Mr. HAMMARBERG said that it was important to ensure cooperation with regional organizations worldwide. It might be better to refrain from mentioning any organization before making more contact with it.

54. Mr. KOLOSOV observed that CSCE was not a regional organization but had a very special standing.

55. Mrs. SANTOS PAIS (Rapporteur) said that, since the report encouraged United Nations and other competent bodies to cooperate with the Committee, there was no need to be more specific.

56. Mr. KOLOSOV said there was no guarantee that CSCE would not be overlooked unless it was mentioned specifically.

57. The CHAIRMAN suggested that the Committee should revert to the question at the next meeting.

58. It was so decided.

The meeting rose at 6.05 p.m.